

# **EXHIBIT C**

**Williamson, John**

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**From:** Brittingham, Smith  
**Sent:** Friday, May 11, 2007 8:05 AM  
**To:** Telcordia-ITC-ATTY; Telcordia-ITC-Staff  
**Subject:** Fw: 337-TA-574: update regarding Cisco motion to compel re privilege claims

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Sent from my BlackBerry Wireless Device

----- Original Message -----

From: edward.reines@weil.com <edward.reines@weil.com>  
To: Gregory.Moldafsky@usitc.gov <Gregory.Moldafsky@usitc.gov>  
Cc: alcatel\_itc@kenyon.com <alcatel\_itc@kenyon.com>; Benjamin.Levi@usitc.gov  
<Benjamin.Levi@usitc.gov>; Gregory.Moldafsky@usitc.gov <Gregory.Moldafsky@usitc.gov>;  
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<mreed@wsgr.com>; steven.cherny@lw.com <steven.cherny@lw.com>; Brittingham, Smith;  
jessica.davis@weil.com <jessica.davis@weil.com>; sonal.mehta@weil.com  
<sonal.mehta@weil.com>

Sent: Fri May 11 02:12:27 2007

Subject: Re: 337-TA-574: update regarding Cisco motion to compel re privilege claims

Mr. Moldafsky:

This email responds to Mr. Brittingham's email submission earlier today concerning the district court proceedings.

To add balance to Mr. Brittingham's characterization of the trial, we wanted to report that the jury awarded less than 1/10 of the damages sought by Telcordia. Specifically, Telcordia sought more than \$75,000,000 for its two patents and received only \$6,500,000 total. Indeed, the unchallenged testimony at trial was that of the fourteen Cisco network cards that contain the accused SRTS technology for the '633 Patent (the only patent remaining in this investigation), thirteen have been discontinued and the last one will be discontinued in a matter of months. Put simply, Cisco is phasing out due to lack of demand the last card that enables its products to use the accused SRTS technology. Accordingly, the accused technology will be entirely discontinued very soon and Telcordia did not deny that at trial.

Although Telcordia abandoned the two other patents originally in this investigation in view of the fact that there was no reasonable possibility it would obtain meaningful relief, time will tell what it plans to do with its last remaining patent. Judging by Mr. Brittingham's email, Telcordia appears interested in continuing ahead notwithstanding the discontinuation of the accused technology. Of course, Cisco will evaluate its options in this regard.

Respectfully Submitted,

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"Brittingham, Smith" <smith.brittingham@finnegan.com>

05/09/2007 03:31 PM

To <Gregory.Moldafsky@usitc.gov>  
 cc <edward.reines@weil.com>, <sonal.mehta@weil.com>, <jessica.davis@weil.com>, <alcatel\_itc@kenyon.com>, <steven.cherny@lw.com>, <max.grant@lw.com>, <jotteson@wsgr.com>, <mreed@wsgr.com>, <Benjamin.Levi@usitc.gov>  
 Subject 337-TA-574: update regarding Cisco motion to compel re privilege claims

Mr. Moldafsky:

I write to update you with respect to one of the currently pending motions in light of events in the district court trial. On March 23, 2007, respondent Cisco filed a Motion to Compel Telcordia to Withdraw Improper Assertions of Attorney-Client Privilege and Instructions Not to Answer. That motion addressed, among other issues, Telcordia's attorney-client privilege claims with respect to two documents--a Patent Submission document and a Patent Authorization document. See Cisco's Memorandum in Support at 2-6. In Telcordia's response, Telcordia noted that the privileged status of those documents would likely be decided by the district court judge during the district court trial since Cisco was attempting to introduce those documents into evidence over Telcordia's privilege objection. That did, in fact, occur, and the district court judge ruled that the two documents were not covered by the attorney-client privilege.

As a result, Telcordia is no longer asserting an attorney-client privilege objection to use of the Patent Submission document and the Patent Authorization document in this investigation. Telcordia's positions with respect to other aspects of Cisco's motion to compel remain unchanged.

If you have any questions, please do not hesitate to contact me.

Regards,

Smith Brittingham

Smith R. Brittingham IV | Finnegan, Henderson, Farabow, Garrett & Dunner LLP | 901 New York Ave., N.W. | Washington, D.C. 20001 | Direct Dial: 202.408.4158 | Fax: 202-408-4400 | Web: [www.finnegan.com](http://www.finnegan.com) <blocked::http://www.finnegan.com/>

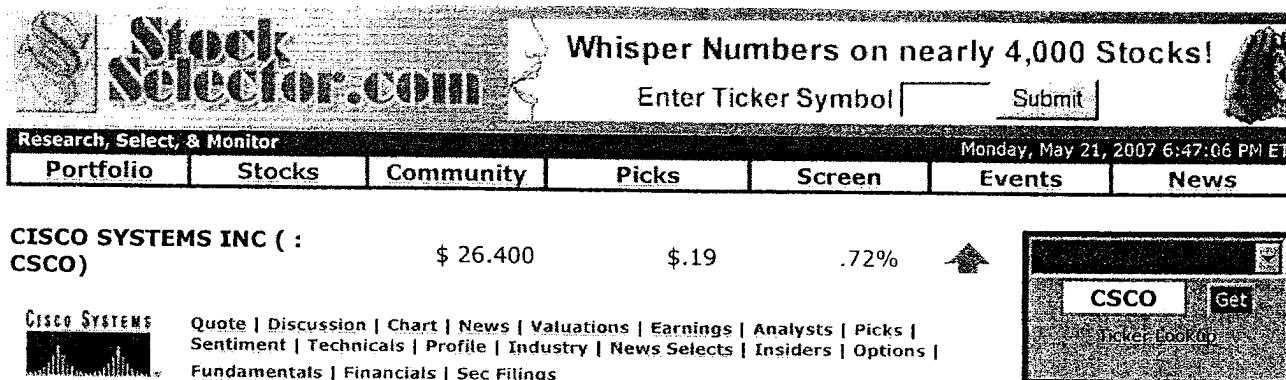
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## Invotex Damages Expert Testifies in Telcordia v. Cisco Patent Infringement Trial

Thursday, May 17, 2007 11:21:00 AM ET

In the Telcordia Technologies, Inc. v. Cisco Systems, Inc., (Case #04CV876) patent dispute in federal court in Wilmington, Delaware, Invotex Group CEO and damages expert Terry L. Musika testified that the amount of total damages adequate to compensate for the claimed infringement was \$5.5 million. The opposing damages expert, working with FTI Consulting, Inc., testified that the amount of total damages adequate to compensate for infringement was \$75 million. On Friday, May 11, 2007, the jury decided that the two Telcordia patents asserted against Cisco were both valid and infringed and awarded damages of \$6.5 million.

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Contact  
Terry Musika  
Chief Executive Officer  
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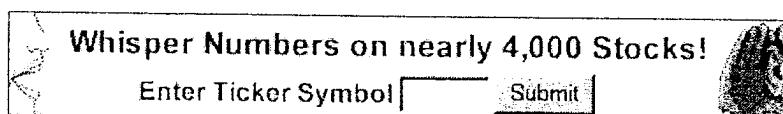
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Terry Musika, Chief Executive Officer of Invotex Group, +1-410-824-0145

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Last Update: 11:21 AM ET May 17, 2007

BALTIMORE, May 17, 2007 /PRNewswire via COMTEX/ - In the Telcordia Technologies, Inc. v. Cisco Systems, Inc., (Case #04CV876) patent dispute in federal court in Wilmington, Delaware, Invotex Group CEO and damages expert Terry L. Musika testified that the amount of total damages adequate to compensate for the claimed infringement was \$5.5 million. The opposing damages expert, working with FTI Consulting, Inc., testified that the amount of total damages adequate to compensate for infringement was \$75 million. On Friday, May 11, 2007, the jury decided that the two Telcordia patents asserted against Cisco were both valid and infringed and awarded damages of \$6.5 million.

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### SOURCE Invotex Group

Terry Musika, Chief Executive Officer of Invotex Group, +1-410-824-0145 <http://www.invotex.com> Copyright (C) 2007 PR Newswire. All rights reserved \*\*\*\*\* As of Sunday, 05-13-2007 23:59, the latest Comtex SmarTrend® Alert, an automated pattern recognition system, indicated an UPTREND on 02-15-2007 for FCN @ \$32.22. For more information on SmarTrend, contact your market data provider or go to [www.mysmarttrend.com](http://www.mysmarttrend.com) SmarTrend is a registered trademark of Comtex News Network, Inc. Copyright © 2004-2007 Comtex News Network, Inc. All rights reserved. ■

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## Invotex Damages Expert Testifies in Telcordia v. Cisco Patent Infringement Trial

Thursday May 17, 11:21 am ET

BALTIMORE, May 17 /PRNewswire/ -- In the Telcordia Technologies, Inc. v. Cisco Systems, Inc., (Case #04CV876) patent dispute in federal court in Wilmington, Delaware, Invotex Group CEO and damages expert Terry L. Musika testified that the amount of total damages adequate to compensate for the claimed infringement was \$5.5 million. The opposing damages expert, working with FTI Consulting, Inc., testified that the amount of total damages adequate to compensate for infringement was \$75 million. On Friday, May 11, 2007, the jury decided that the two Telcordia patents asserted against Cisco were both valid and infringed and awarded damages of \$6.5 million.

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Source: Invotex Group

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